



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JN/AS
F. #2017R01809

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 2, 2018

By ECF

The Honorable Raymond J. Dearie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Zaslavskiy
Criminal Docket No. 17-647 (RJD)

Dear Judge Dearie:

The government writes this letter to provide an update to the Court regarding the defendant Maksim Zaslavskiy's pending motion to dismiss the indictment. The government last wrote to the Court on March 28, 2018, requesting an adjournment of the oral argument on the defendant's motion. On March 30, 2018, the Court granted the government's request.

It is the government's understanding that the U.S. Securities and Exchange Commission will not seek leave to file a response to the *amicus* brief submitted by civil counsel in connection with the motion to dismiss. The government likewise does not intend to file a response to the amicus because it believes that the issues raised by the defendant have been sufficiently briefed, and that any additional arguments can be addressed by the government, to the extent necessary, at oral argument. If the Court wishes the government to supplement its submissions, the government will, of course, promptly do so.

Thank you for your consideration.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

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Cc: Clerk of the Court (RJD) (By ECF and email)
Mildred Whalen, Esq. (By ECF)
Len Kamdang, Esq. (By ECF)